

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION.**

**CRIMINAL WRIT PETITION NO.838 of 2005.**

Office notes, office  
memoranda of Coram,  
appearances, Court's  
orders or directions  
and Registrar's orders.

Court's or Judge's orders.

Shri R.M.Parekh i/by M/s.Malvi Ranchoddas & Co.for  
the Petitioners.  
Shri A.S.Shitole, A.P.P.for the Respondent-State.

**CORAM : ABHAY S.OKA, J.  
DATED : 16th October, 2006.**

**P.C.:**

1. In view of the law laid down by the learned  
Single Judge of this Court in the case of V.K.Jain  
v/s. Pratap Padode (2005(3) Mah.L.J.page 778),  
this petition under Article 227 of the Constitution  
of India read with section 482 of the Code of  
Criminal Procedure, 1973 is not entertained.

2. Petition is accordingly rejected.  
Notwithstanding the rejection of this petition, it  
will be open for the Petitioner to file Revision  
Application before the appropriate Sessions Court  
for challenging the order issuing process.

3. To enable the Petitioner to approach the  
appropriate Sessions Court and apply for  
appropriate interim relief, ad-interim relief  
granted by this Court will continue to operate for  
a period of eight weeks from today.

**Judge.**